

### **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the outstanding grounds of rejection are respectfully requested in light of the above amendments and the remarks that follow.

The Examiner has objected to the drawings for failure to indicate that the feeler gages are taped.

The Examiner's attention is to Figures 1 and 2 where it is apparent that the feeler gages 34 and 52 taper in thickness in the axial direction. The Examiner will appreciate that because of the drawing scale, it is difficult to clearly illustrate a significant taper. In any event, and in order to make Figure 3 consistent with Figures 1 and 2, applicant proposes to amend the feeler gages 34 and 52 in Figure 3 to also reflect a taper in the axial direction. That there is such a taper is readily apparent and fully supported in paragraph 22 on page 8 where it is stated that:

...When the tapered, flexible feeler gage portion 52 reaches its maximum travel, i.e., where the tapered surface of feeler gage portion 52 is engaged on both sides of the gap, the slide bar 66 is moved axially along the channel until the forward edge of the bar 66 engages the support structure 104 immediately above the clearance being measured.

This description along with the clear understanding in the art of exactly what a "tapered feeler gage" is understood to include (and, of course, given the taper shown in Figures 1 and 2), establish that the amendment to Figure 3 does not involve the introduction of any new matter.

The Examiner has rejected claims 1-15 under 35 U.S.C. 103 as unpatentable over Koenig (U.S. 2,579,386) in view of Von Tarnik (U.S. 2,861,347). Von Tarnik is relied

upon by the Examiner for its disclosure of two scales at opposite ends of the gage, and the Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the measurement gage of Koenig to provide two different scales at either end as taught by Von Tarnik.

A careful inspection of the principal reference to Koenig reveals that the reference does not disclose all of the claim limitations other than that requiring scales of opposite ends of the base. For example, the Examiner contends that the Koenig patent discloses a base 15 and a slide bar 14 movable along the base. This is clearly not the case. In column 1 of Koenig, it is expressly stated that "the housing [is] being longitudinally fixed to the indicating strip 14." Further in that column, it is expressly stated that:

...Lugs 21 are formed from the sides of the housing and project laterally inwardly as shown in Figs. 1 to 4 for reception in recesses in the side edges of the indicating strip 14 in order that longitudinal movement of the housing may impart a like movement to the indicator strip. (emphasis added.)

Thus, in Koenig, the slide 13 (comprising the housing 15) moves with the indicating strip 14 relative to the measuring strip 10. In order to further emphasize this distinction, applicant has amended independent claims 1 and 12 to require that the slide bar be movable along and relative to the base.

Moreover, and in any event, since Koenig reads the measured thickness from the opposite or thicker end 11 of the measuring strip 10, any modification of Koenig to include a second feeler gage extending oppositely from the base or housing 15 would necessarily destroy the disclosed functionality of the gap gage in Koenig, since the

measurement index 25 would necessarily have to be relocated contrary to the express disclosure in Koenig.

Various limitations in the dependent claims are also nowhere disclosed or suggested in the combination of references. For example, dependent claim 3 requires retainer clips at opposite ends of the base for constraining the slide bar to axial movement within the base. As already noted above, the bar 14 does not move axially within the base 15 but rather, is fixed thereto so that the slide bar 14 and housing 15 move together as one.

With respect to claim 6, and to the extent the indicating strip or cover plate 14 has an indicator point 25, it is readily apparent that the point 25 is not fixed to the slide bar 14 and in addition, the bar or strip 14 does not have a slot formed therein that is adapted to receive a screw fastener. Rather, the screw 16 passes through a hole in the housing 15, and aligned holes in thrust plate 17 and leaf spring 18, such that the tip of the screw engages the strip 14.


It is also readily apparent that the subject matter of dependent claims 7, 8 and 9 is nowhere disclosed or suggested in either reference.

With regard to independent claim 12, the arguments presented above with respect to independent claim 1 apply equally as well here. Similarly, the arguments presented above with respect to dependent claim 7 apply equally as well to dependent claim 14. Finally, and contrary to the Examiner's assertion, the subject matter of claim 15 is nowhere disclosed in the applied combination of references.

For all of the above reasons, it is respectfully submitted that all of the application claims are now in condition for immediate allowance, and early passage to issue is requested. In the event, however, any small matters remain outstanding, the Examiner is encouraged to telephone the undersigned so that the prosecution of this application can be expeditiously concluded.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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**AMENDMENTS TO THE DRAWINGS**

Applicant proposes to amend Figure 3 as marked on red on the attached of original Figure 3.

Attachment: Replacement Sheet(s)  
Annotated Sheet Showing Changes



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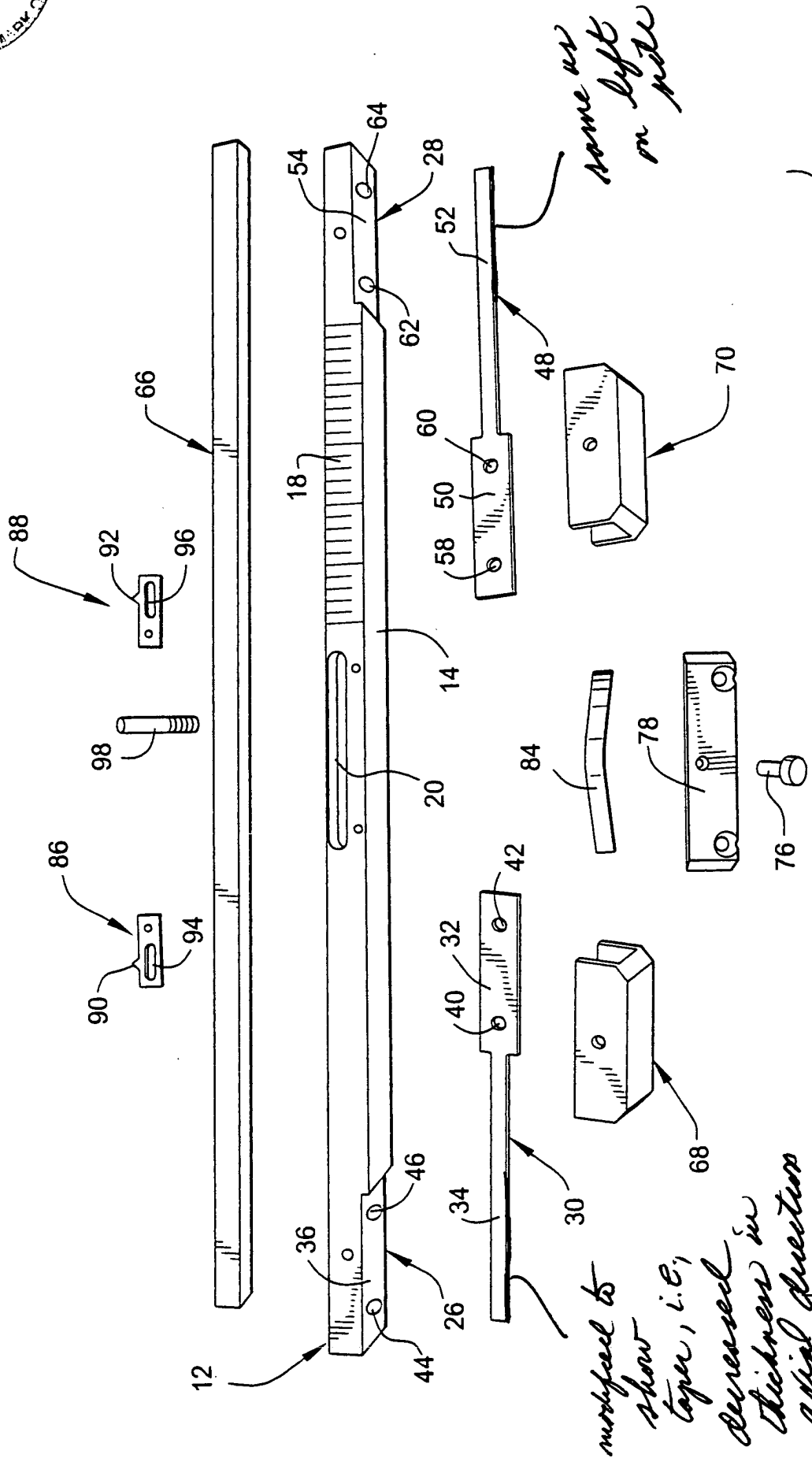


Fig. 3